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*Attorneys for GitHub, Inc. and Microsoft Corporation*

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

J. DOE 1, et al.,

Individual and  
 Representative Plaintiffs,

v.

GITHUB, INC., et al.,

Defendants.

Case No. 4:22-cv-6823-JST

Consolidated with Case No. 4:22-cv-7074-JST

**[PROPOSED] ORDER GRANTING  
 DEFENDANTS GITHUB AND  
 MICROSOFT'S LOCAL RULE 79-5(f)  
 ADMINISTRATIVE MOTION TO  
 CONSIDER WHETHER ANOTHER  
 PARTY'S MATERIAL SHOULD BE  
 SEALED**

AND CONSOLIDATED ACTION

Date: May 4, 2023  
 Time: 2:00 p.m.  
 Courtroom: 6, 2d Floor  
 Judge: Hon. Jon S. Tigar

Complaint Filed: December 7, 2022

Before the Court is GitHub and Microsoft's Local Rule 79-5(f) Administrative Motion To Consider Whether Another Party's Material Should Be Sealed ("Administrative Motion"). The Administrative Motion seeks to file under seal portions of Defendants GitHub and Microsoft's Reply In Support of Their Motions to Dismiss Operative Complaint in Consolidated Actions (filed at ECF No. 72), the Hurst Declaration in Support of Defendants GitHub and Microsoft's Motions to Dismiss Operative Complaint in Consolidated Actions (filed at ECF No. 72-1), and Defendants GitHub and Microsoft's Opposition to Plaintiffs' Motion to Maintain Confidentiality Designations for Plaintiffs' True Names Pursuant to Section 6.3 of the Stipulated Protective Order (ECF No. 63) (filed at ECF No. 75), because Plaintiffs have asserted that such information should be under seal. ECF No. 77 at 3-4. Accordingly, GitHub and Microsoft may file such material under seal pursuant to Local Rule 79-5(f) until such time as the propriety of the designation is fully adjudicated, and the Administrative Motion is GRANTED.

**IT IS HEREBY ORDERED** that counsel for GitHub and Microsoft may file under seal the following information that Plaintiffs have sought to maintain under seal:

| Portion of Exhibit to be Sealed  | Basis for Sealing Document or Portions Thereof   |
|--|--|
| Highlighted portions of Defendants GitHub and Microsoft's Reply In Support of Their Motions to Dismiss Operative Complaint in Consolidated Actions (filed at ECF No. 72)   | The highlighted portions reflect information that Plaintiffs have asserted should be under seal. |
| Hurst Declaration in Support of Defendants GitHub and Microsoft's Motions to Dismiss Operative Complaint in Consolidated Actions (filed at ECF No. 72-1)   | The highlighted portions reflect information that Plaintiffs have asserted should be under seal. |
| Defendants GitHub and Microsoft's Opposition to Plaintiffs' Motion to Maintain Confidentiality Designations for Plaintiffs' True Names Pursuant to Section 6.3 of the Stipulated Protective Order (ECF No. 63) (filed at ECF No. 75) | The highlighted portions reflect information that Plaintiffs have asserted should be under seal. |

1 **IT IS SO ORDERED.**

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3 DATED: \_\_\_\_\_

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JON S. TIGAR  
United States District Judge  
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